

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Cassandra Watson	Team: Team # 5	CCRB Case #: 201010961	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 08/08/2010 6:00 PM	Location of Incident: 41st Precinct Stationhouse	Precinct: 41	18 Mo. SOL 2/8/2012	EO SOL 2/8/2012	
Date/Time CV Reported Mon, 08/09/2010 7:18 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Mon, 08/09/2010 7:18 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Michael Gibbs	04336	906330	041 PCT
2. An officer			

Officer(s)	Allegation	Investigator Recommendation
A.SGT Michael Gibbs	Force: SGT Michael Gibbs used physical force against § 87(2)(b) § 87(2)(b) (b).	
B.SGT Michael Gibbs	Discourtesy: SGT Michael Gibbs spoke obscenely to § 87(2)(b) § 87(2)(b) (b), § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) (b).	
C. An officer	Discourtesy: An officer spoke obscenely to § 87(2)(b) § 87(2)(b) (b).	

Case Summary

On August 09, 2010, § 87(2)(b) § 87(2)(b) filed a complaint on the CCRB Call Processing System.

On August 09, 2010, at approximately 6:00 p.m., § 87(2)(b) § 87(2)(b), § 87(2)(b) § 87(2)(b) and § 87(2)(b) and § 87(2)(b) § 87(2)(b) went to the 41st Precinct stationhouse at 1035 Longwood Avenue in the Bronx to retrieve § 87(2)(b) § 87(2)(b)'s baseball hat; he was arrested on the prior evening for stolen merchandise and had been released. § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) entered the stationhouse and encountered an officer who later identified himself to them as Sgt. Michael Gibbs. § 87(2)(b) § 87(2)(b) told § 87(2)(b) § 87(2)(b) that Sgt. Gibbs had slammed him onto the ground, pulled him (**Allegation A**) and said, "I'm going to make you hate white people" while he was under custody the prior evening at the stationhouse. Sgt. Gibbs said to § 87(2)(b) § 87(2)(b), "what the fuck do you want" (**Allegation B**) and refused to give her information about her son's arrest. Sgt. Gibbs maintained an aggressive demeanor and screamed at § 87(2)(b) § 87(2)(b) "get the hell out of here." § 87(2)(b) § 87(2)(b), § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) exited the stationhouse and met § 87(2)(b) § 87(2)(b) outside and told him what happened. § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) re-entered the stationhouse to obtain Sgt. Gibbs's name and shield number to file complaint against him and requested the information from two officers that sat at the desk. They asked if § 87(2)(b) § 87(2)(b) was § 87(2)(b) § 87(2)(b)'s father and he refused to respond. PO1 said to § 87(2)(b) § 87(2)(b), "You'd better answer him because he's the desk sergeant or you can fucking leave. That's why that motherfucker acts like that. Get your black ass out of here. Get out" (**Allegation C**). As § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) began to exit the stationhouse, Sgt. Gibbs approached them and said, "Everybody knows me and I don't fucking care" (**Allegation B continued**). He pointed to his shield and § 87(2)(b) § 87(2)(b) wrote down his name and shield number.

§ 87(2)(b) § 87(2)(b) described Sgt. Gibbs of the 41st Precinct as a § 87(2)(b) § 87(2)(b)-old white male who stood approximately 6'0" tall and weighed 215 lbs. She provided his name and shield number "4336" to the CCRB, and stated that Sgt. Gibbs provided his name and shield number to her at the stationhouse. Additionally, Sgt. Gibbs is listed as on-duty on the 41st precinct Tour 2 roll call on the date of the incident. § 87(2)(g) § 87(2)(g).

§ 87(2)(b) § 87(2)(b) described PO1 as a white female who stood 5'4" tall, with long blonde hair in a ponytail, an Italian-American accent and was dressed in uniform. § 87(2)(g) § 87(2)(g).

Because § 87(2)(b) § 87(2)(b) is a minor and resides with his parent (§ 87(2)(b) § 87(2)(b)), the investigator attempted to contact him through § 87(2)(b) § 87(2)(b) and he was unavailable to provide a telephone statement. Between August 12 and August 24, 2010, the undersigned investigator mailed two letters to § 87(2)(b) § 87(2)(b) that were not returned to the CCRB by the United States Postal Service. Seven phone calls were placed to § 87(2)(b) § 87(2)(b) and three messages were successfully left on voicemail answering systems. On August 30, 2010, § 87(2)(b) § 87(2)(b) provided a phone statement, during which she scheduled an interview and confirmed that § 87(2)(b) § 87(2)(b) would accompany her to the CCRB to be interviewed. On September 9, 2010, § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) failed to appear for their interview. On September 15, 2010, § 87(2)(b) § 87(2)(b) contacted the investigator and scheduled for an interview on October 1, 2010. § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) did not appear for their interview and did not contact the investigator to cancel or reschedule.

Between August 19 and September 2, 2010, the investigator mailed two letters to § 87(2)(b) that were not returned to the CCRB by the United States Postal Service. The investigator placed five phone calls to § 87(2)(b) and successfully left two messages. On September 2, 2010, § 87(2)(b) provided a telephone statement and scheduled an interview. On September 10, 2010, § 87(2)(b) failed to appear for his interview and did not contact the investigator to cancel or reschedule. On October 7, 2010, a check of the New York City Department of Correction online inmate locator system revealed that § 87(2)(b) and § 87(2)(b) were not incarcerated.

§ 87(2)(g), § 87(2)(b)

Team: _____

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Investigator: _____	_____	_____
Signature	Print	Date

Supervisor: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date